

01-16-01 A



## UTILITY PATENT APPLICATION TRANSMITTAL

Attorney Docket No.: 990356.ORI  
First Inventor: STEPHEN NUSS  
Title: TITANIUM MOLYBDENUM ALLOY GUIDEWIRES

Express Mail Label No.: EL692947620US

Address to: Assistant Commissioner for Patents  
Box Patent Application  
Washington, D.C. 20231

### Application Elements:

1.  Applicant claims small entity status.  
See 37 CFR 1.27.
2.  Specification Total Pages: 14
3.  Drawings Total Sheets: 2
4. Oath or Declaration Total Pages:
  - a.  Newly executed.
  - b.  Copy from prior application  
(for continuation/divisional with Box 18 completed)
5.  Application Data Sheet.

### Accompanying Application Parts

6.  Assignment Papers (cover sheet & document)
7.  Information Disclosure Statement
8.  Preliminary Amendment
9.  Return Receipt Postcard
10.  Request and Certification Under 35 U.S.C. 122(b)(2)(B)(i)

11.  Certificate of Mailing Via Express Mail
12.  Check in the amount of \$395.00
13.  If a **CONTINUING APPLICATION** (check appropriate box and supply requisite information below and in a preliminary amendment, or in an Application Data Sheets under 37 CFR 1.76):

Continuation  Divisional  Continuation-in-Part

of prior application Serial No.:

Prior application information: Examiner: Group Art Unit:

**Assignee Information for Inclusion on the Patent Application Publication:**

Assignee: MX Medical, Inc.  
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**Method of Payment**

- Payment enclosed by check to cover the filing and recording fees.
- The Commissioner is authorized to charge any fees or refund any overpayment under 37 CFR 1.16 and 1.17 which may be required by this paper to Deposit Account No. 08-1265 under Deposit Account name of Nikolai, Mersereau & Dietz, P.A.

**Correspondence Address:**

Customer No.: 23595

Typed Attorney Name: Steven E. Kahm  
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Signature: Steven E. Kahm Date: 1-12-01

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PTO/ISB/35 (11-00)

Approved for use through 10/31/2002. OMB 0651 -0031

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<b>REQUEST AND CERTIFICATION</b> <b>35 U.S.C. 122(b)(2)(B)(i)</b>	First Named Inventor: STEPHEN NUSS  Title: TITANIUM MOLYBDENUM ALLOY GUIDEWIRES  Atty Docket Number: 990356.ORI
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I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

Date January 12, 2001

Steven E. Kahm

Signature

Typed or printed name: Steven E. Kahm

This request must be signed in compliance with 37 CFR 1 .33(b) and submitted with the application upon filing.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

Burden Hour Statement: This collection of information is required by 37 CFR 1.213(a). The information is used by the public to request that an application not be published not be published under 35 U.S.C. 122(b) (and the PTO to process that request). Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 6 minutes to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

Express Mail No. EL692947620US

PATENT APPLICATION

Docket No. 990356.ORI

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re App : Stephen Nuss

: January 12, 2001

For : TITANIUM MOLYBDENUM ALLOY GUIDEWIRES



**CERTIFICATE OF MAILING VIA EXPRESS MAIL**

BOX PATENT APPLICATIONS  
Commissioner of Patents and Trademarks  
Washington, D. C. 20231

Sir:

I hereby certify that the attached patent application consisting of ten (10) pages of specification, three (3) pages of claims, abstract, two (2) sheets of formal patent drawings, two (2) pages of an executed Declaration, Power of Attorney, and Petition, an executed Assignment, a Utility Patent Application Transmittal (2pp.), a Recordation Form Cover Sheet (2pp.), a Request and Certification 35 U.S.C. 122(b)(2)(B)(i), an Information Disclosure Statement Under Rule 1.56 (2pp.), Form PTO-1449 and 60 pages of references cited, a Patent Application Data Entry Format, a return receipt postcard and Check No. 45152 in the amount of \$395.00 in payment of the filing and recording fees, are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and are addressed to: BOX PATENT APPLICATIONS, Commissioner of Patents and Trademarks, Washington, D. C. 20231, under Express Mail Post Office to Addressee Label No. EL692947620US.

Respectfully submitted,

NIKOLAI, MERSEREAU & DIETZ, P.A.

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